IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

Single Bench

M.C.C. NO. 62 OF 2007

APPLICANTS : 1. Jaimangal, S/o Dhamodhar Sharma, Aged about 54 years.

2. Rajmangal, S/o Dhamodhar Sharma, Aged about 47 years.

Caste of both the appellants is Brahmin, Both are R/o Village Gharghoda, Police Station & Tehsil Gharghoda, District Raigarh (Chhattisgarh).

F.I.R. No. 357/07 Y. Mishra
Presented by Shri ...
dated 04/12/07

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Versus

RESPONDENT : State of Chhattisgarh,
Through the Collector, Raigarh (CG)

APPLICATION FOR RESTORATION OF SECOND APPEAL (PR) NO. 2118 OF 2006

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक M.C.C. 62/ ..... **सन्** 2007

(12)

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	19.02.2007 Shri H.S.Patel, Counsel for the applicants. Shri G.D.Vasvani, G.A. for the State. Heard on M.C.P.No.292 of 2007 for condonation of delay in filing M.C.C.. Second Appeal No.45 of 2007 was filed by the applicants on 26.7.2006. The Registry pointed out that the Vakalatnama has not been filed and deficit court fees of Rs.270/- is to be paid. Since the applicant did not remove the defaults, the matter was listed before the Court on 7.12.2006 which finally granted a week's time, at the request of the learned counsel for the applicants, to remove the defaults. It was also ordered that if the defaults were not removed, the S.A. No.45 of 2007 shall be liable to be dismissed without further reference to the Bench. The defaults were removed on 19.12.2006 by paying deficit court fees and also by filing Vakalatnama. Subsequently on 11.01.2007, the Additional Registrar (J) dismissed the S.A. for non-compliance of the order dated 7.12.2006. Shri G.D.Vasani, learned counsel for the non-applicant/State opposed the prayer though formally.	

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

(19)

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	Considering the grounds mentioned in M.C.P.No. 292 of 2007, it is allowed and the delay in filing M.C.C. is condoned. Heard on M.C.C.No.62 of 2007. For the reasons mentioned therein and subject to applicants depositing cost of Rs.300/- with the High Court Legal Aid Committee within a week, M.C.C.No.62 of 2007 is allowed. S.A.No.45 of 2007 shall stand restored after deposit of costs as ordered. Sd/- Dilip Raosaheb Deshmukh Judge	

Ajami

P.T.O.